

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
BRYAN VELAZQUEZ, :
:
Plaintiff, : 22-CV-9211 (VSB)
-against- :
:
EVERLAST WORLDWIDE, INC., :
:
Defendant. :
:
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ORDER

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on October 27, 2022, (Doc. 1), and filed an affidavit of service on January 24, 2023, (Doc. 9). The deadline for Defendant to respond to Plaintiff's complaint was February 13, 2023. (See Doc. 9.) On February 13, the parties agreed to extend Defendants' time to respond to the complaint to March 15, 2023. (Docs. 10,11.) On March 1, 2023, counsel for Defendant filed their notice of appearance. (Doc. 12.) To date, Defendant has not responded to the complaint. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intend to seek a default judgment, he is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than March 31, 2023. If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: March 16, 2023
New York, New York



VERNON S. BRODERICK
United States District Judge